

**DEPARTMENT OF INSURANCE, FINANCIAL
INSTITUTIONS AND PROFESSIONAL REGISTRATION**

P.O. Box 690, Jefferson City, Mo. 65102-0690

In the Matter of:

DIFP Case No. 07-A000771

STEPHAN E. BURKE

Respondent.

CONSENT ORDER

DOUGLAS M. OMMEN, Director of the Department of Insurance, Financial Institutions and Professional Registration, with the consent of Stephan E. Burke, and the Consumer Affairs Division, issues the following findings of fact, conclusions of law, and order:

Findings of Fact

1. Douglas M. Ommen is the duly appointed Director of the Missouri Department of Insurance, Financial Institutions, and Professional Registration (hereinafter, "Director") whose duties, pursuant to Chapters 374 and 375, RSMo, include supervision, regulation and discipline of insurance producers, bail bond agents and general bail bond agents.

2. The Consumer Affairs Division of the Department of Insurance, Financial Institutions, and Professional Registration ("Consumer Affairs Division") has the duty of conducting investigations into bail bond agent and general bail bond agent license applications and renewal applications under the insurance laws of this state and has been authorized by the Director to initiate this action before the Director to enforce the insurance laws of this state.

3. Stephan E. Burke ("Burke") was licensed as a bail bond agent from May 5, 1997, until May 7, 2007.

4. Burke was licensed as a general bail bond agent from October 3, 2001, until his license expired on October 3, 2007.

5. On November 13, 2007, Burke filed a request for a late renewal on a Missouri Uniform Renewal Application for Bail Bond or Surety Recovery Agent License ("renewal application"), with the Department of Insurance, Financial Institutions and Professional Registration ("the department").

6. On December 31, 2007, the Director denied Burke's renewal application citing Burke's failure or refusal to file a monthly sworn affidavit with the department as required by section 374.760, RSMo (Supp. 2006).

7. On January 2, 2008, the Director notified Burke, by certified mail, of his right to request a hearing in this matter before the Administrative Hearing Commission, pursuant to section 621.120, RSMo.

8. Burke has stipulated and agreed to waive any rights that he may have to a hearing before the Administrative Hearing Commission and any rights to seek judicial review or other challenge or contest of the terms and conditions of this Order and forever

releases and holds harmless the department, the Director and his agents, and the Consumer Affairs Division from any and all liability and claims arising out of, pertaining to, or relating to this matter.

9. Entry of this Order is in the public interest.

Conclusions of Law

10. The Consumer Affairs Division is authorized to settle this matter and the Director is authorized to issue this Consent Order in the public interest pursuant to sections 374.046 and 375.141, RSMo (Supp. 2007), and section 621.045, RSMo (2000).

11. Section 374.760, RSMo (Supp. 2006), provides as follows:

Each general bail bond agent shall file, between the first and tenth day of each month, sworn affidavits with the department stating that there are no unsatisfied judgments against him. Such affidavits shall be in the form and manner proscribed by the department.

12. Supreme Court Rule 33.17 provides in part:

A person shall not be accepted as a surety on any bail bond unless the person: . . .

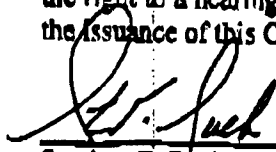
(f) Has no outstanding forfeiture or unsatisfied judgment thereon entered upon any bail bond in any court of this state or of the United States.

13. Section 374.760, RSMo, enables the department to regularly monitor unsatisfied judgments, and therefore, compliance with Rule 33.17. It is the duty of a general bail bond agent to make a monthly report to the department, pursuant to section 374.760, RSMo, to facilitate the prevention of ongoing and irreparable damage to Missouri's judicial system resulting from unsatisfied judgments.

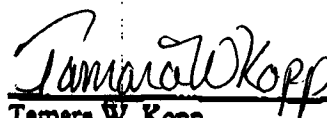
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CONSENT AND WAIVER OF HEARING

The undersigned persons understand and acknowledge that Stephan E. Burke has the right to a hearing, but that Stephan E. Burke has waived the hearing and consented to the issuance of this Order.


 Stephan E. Burke
 Respondent

1-11-2008
 Date

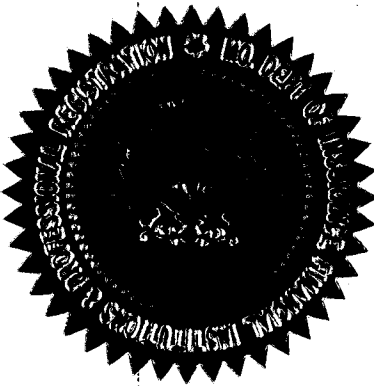

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1-11-2008
 Date

ORDER

The Department will renew Stephan E. Burke's general bail bond agent license under the condition that Stephan E. Burke shall comply with all Missouri laws and regulations, including section 374.760, RSMo.

SO ORDERED, SIGNED AND OFFICIAL SEAL AFFIXED THIS 11th
DAY OF JANUARY, 2008.



DOUGLAS M. OMMEN, Director
Missouri Department of Insurance,
Financial Institutions & Professional
Registration